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26 December 1978

TO: Mr. Loch Johnson, House Permanent Select
Committee on Intelligence
H-405, The Capitol
Washington, D. C. 20515

FROM: Office of Legislative Counsel
Central Intelligence Agency
Room 7 D 35
Washington, D.C. 20505

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INFORMATION		ACTION	XX	RETENTION	LOAN
CONTROL NUMBER	DOC. DATE	SUBJECT (Unclassified preferred)			CLASS.
	undated	Four pages for Mr. Johnson of notes			Secret
	undated	Article, "Intelligence Reform in the Mid-1970s" by Timonthy S. Hardy, 15 pages			Unclass
		HANDCARRIED BY OLC/Liaison 12/26/78			STAT

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From the inside looking out:

INTELLIGENCE REFORM IN THE MID-1970s

Timothy S. Hardy

Bob Woodward and Carl Bernstein are stars. They are reaping millions from their investigative reporting. When Watergate rates a chapter in history books, they will no doubt get more than a footnote. But another investigative reporter, whose role in the story he broke was probably more integral and essential, is almost forgotten already. Had Seymour Hersh not written his CIA domestic surveillance stories for the *New York Times* in December 1974 (indeed, had not the *Times* seen fit to splash the first story across five columns of page one headlined "Massive Surveillance"), there seems little doubt that there never would have been a Rockefeller Commission, a Pike "Report," a Church Committee, or an Executive Order 11905.

Books by Victor Marchetti and Philip Agee or occasional columns by Jack Anderson were not able, as the Hersh article was, to stampede the new Ford Administration into appointing a presidential commission, the first step down an ever-widening path of inquiry. Hersh, and Hersh alone, caused the President, and then Congress—put in the position where it could not allow the Executive Branch alone to be the investigator—to make intelligence a major issue of 1975. His stories, combined with a presidential reaction that gave the stories great credibility, took a long-smoldering collection of problems and put them on the nation's front burner. One would have to be quite persuasive to make the case that Woodward and Bernstein were nearly as crucial to the unfolding of their story.

On the other hand, had not Woodward and Bernstein set a favorable tone for investigative reporting, by giving great credibility to the delvings of the press into once-sacred institutions, the splash made by the Hersh article might never have been possible. The public and Congress had become quite susceptible to claims that the government was out of control, that bizarre stories about secret conspiracies might indeed be true. And the whole Watergate scenario led, as Senator Baker had been fascinated to learn and determined to probe as an adjunct to his Watergate committee tasks, in a number of bizarre ways to the CIA gates in Langley.

Yet Hersh may not even merit a historical footnote, perhaps, because the ball he started rolling never really knocked down all, or even any, of the pins. The ending of the *Post* dynamic duo's story, after all, was the resignation of a reigning President. No such result capped Hersh's story. The CIA is thriving in Langley, its constituent parts all strung together, its basic mission unchanged. The Defense Department still spends more than 80 percent of the billions of national intelligence dollars in ways only vaguely known to the American public. The new FBI building is still named for J. Edgar Hoover. And one of the nation's most expensive and most important intelligence organizations remains to this day unacknowledged by the U.S. Government. Nonetheless, the Hersh article did set in motion events that led to trumpeted "reforms" of the foreign intelligence community.

What follows is one insider's attempt to reconstruct that train of events. First, as an investigator (with the Rockefeller Commission), then as a staff assistant to the decision process (in the White House), and finally as an implementer (with the Intelligence Oversight Board), I watched the intelligence issue wax and wane, both at the office and on the nation's front pages. The views expressed here are biased by this

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